

124

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant(s): Robert Michael Blood et al.
Attorney Docket No.: 113250
Application No.: 09/460512
Filing Date: 12/14/1999
Examiner Name:
Group Art Unit: 2742
Title: Aircraft Cabin Telephony Test Unit



RECEIVED
OCT 24 2000
OFFICE OF PETITIONS

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231
Box: Missing Parts

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

Enclosed is the Declaration and Power of Attorney relating to the above-identified application.

Please charge **AT&T Corp. Deposit Account No. 01-2745** in the amount of \$130.00 to cover the filing fee surcharge. A duplicate copy of this letter is enclosed. In the event of any non-payment or improper payment of a required fee, the Assistant Commissioner is authorized to charge or to credit **AT&T Corp. Deposit Account No. 01-2745** as required to correct the error.

A copy of PTO-1533, Notice to File Missing Parts of Application, is also enclosed.

Date:

8/25/00

By:

A handwritten signature in black ink, appearing to read "Samuel H. Dworetsky".

Samuel H. Dworetsky

Attorney for Applicant(s)

Reg. No.: 27873

T: 908-221-5234

F: 732-368-6932

AT&T CORP.

P.O. Box 4110

Middletown, New Jersey 07748-4110

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/648947
Filing Date	08/25/2000
First Named Inventor	Robert Michael Blood et al.
Group Art Unit	2742
Examiner Name	
Total Number of Pages in this Submission	Attorney Docket Number 113250

OCT 2 3 2000

Enclosures (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s) <input type="checkbox"/> Petition for Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Drawing(s) & Letter to Official Draftsman <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional enclosure(s) (please identify below) <div style="border: 1px solid black; padding: 2px; width: fit-content;">Petition under 37 CFR 1.47(a)</div>
Remarks		

RECEIVED**OCT 2 4 2000****OFFICE OF PETITIONS****CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below
--	---	---

NAME	Samuel H. Dworetsky		
ADDRESS	AT&T CORP. P.O. Box 4110		
CITY	Middletown	STATE	New Jersey
COUNTRY	United States of America	ZIP CODE	07748-4110
		FAX	732-368-6932

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Thomas M. Isaacson	Reg. #	44166
TELEPHONE	410-257-5485		
SIGNATURE	<i>Thomas M. Isaacson</i>	DATE	10/16/00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 10/17/2000

Type or Printed Name	Lisa Heubach		
Signature	<i>Lisa Heubach</i>	Date	10/17/2000

SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231

FEE TRANSMITTAL

Patent Fees are subject to annual revision.

Complete if known

Application Number	09/648947
Filing Date	08/25/2000
First Named Inventor	Robert Michael Blood et al.
Examiner Name	
Group/Art Unit	2742
Attorney Docket No.	113250

TOTAL AMOUNT
OF PAYMENT

130

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2745
 Deposit Account Name AT&T CORP.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge the Issue Fee set in 37 CFR 1.18 at the Mailing Date of the Notice of Allowance

FEE CALCULATION

1. FILING FEE

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
101	710	Utility(37CFR 1.53(b)) / CPA(37CFR 1.53(d)) Filing Fee	
106	320	Design Filing Fee	
108	710	Reissue Filing Fee	
114	150	Provisional Filing Fee	

SUBTOTAL (1)

2. CLAIMS

- ☐ Filing Under 37CFR 1.53 (b)
☐ CPA Under 37CFR 1.53 (d)
☐ Amendment

Extra Claims	Fee from below	Fee Paid
Total - 20 =		
Ind. - 3 =		
Multiple Dependent Claims		

Large Fee Code	Entity Fee(\$)	Fee Description
103	18	Claims in excess of 20
102	80	Independent Claims in excess of 3
104	270	Multiple Dependent Claims
109	80	Reissue independent claims over original patent
110	18	Reissue claims in excess of 20 and over original patent

2/26/2000 LGIBBS 00000005 012745 09648947

1 FC:105 130.00 CH
 2 FC:128 1850.00 CH

SUBTOTAL (2)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	
127	50	Surcharge - late provisional filing fee or cover sheet	
139	130	Non-English specification	
147	2520	For filing a request for reexamination	
112*	920	Requesting publication of SIR prior to Examiner action	
113*	1840	Requesting publication of SIR after Examiner action	
115	110	Extension for reply within first month	
116	390	Extension for reply within second month	
117	890	Extension for reply within third month	
118	1390	Extension for reply within fourth month	
128	1890	Extension for reply within fifth month	
119	310	Notice of Appeal	
120	310	Filing a brief in support of an appeal	
121	270	Request for oral hearing	
138	1510	Petition to institute a public use proceeding	
140	110	Petition to revive - unavoidable	
141	1240	Petition to revive - unintentional	
142	1240	Utility issue fee (or reissue)	
143	440	Design issue fee	
122	130	Petitions to the Commissioner	130
123	50	Petitions related to provisional applications	
126	240	Submission of Information Disclosure Statement	
581	40	Recording each patent assignment per property (times number of properties)	
146	710	Filing a submission after final rejection(37 CFR 1.129(a))	
149	710	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

* Reduced by Basic
 Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Typed or Printed Name Thomas M. Isaacson

Complete (if applicable)

Reg. Number 44166

Signature

Date

10/16/00

Deposit Account User ID

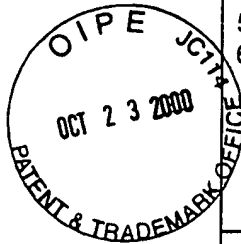
SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Exemption Docket No.	113250	Total Pages
First Named Inventor or Application Identifier		
Robert Michael Blood et al.		
Express Mail Label No.	EL580483657US	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 11] (preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of invention- Cross References to Related Applications- Statement Regarding Fed sponsored R&D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings(if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s)(35 USC 113) [Total Sheets 7]</p> <p>4. Oath or Declaration [Total Pages]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application(37 CFR 1.63(d)) (for continuation/divisional with Box 15 completed) [Note Box 15 below]</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 163(d)(2) and 1.33(b)</p>	<p>5. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy(identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p> <p>ACCOMPANYING APPLICATION PARTS</p> <p>7. <input type="checkbox"/> Assignment Papers(cover sheet & document(s))</p> <p>8. <input type="checkbox"/> 37 CFR 3.73(b)Statement <input type="checkbox"/> Power of Attorney</p> <p>9. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>10. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement(IDS)/PTO-1449 Citations</p> <p>11. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>13. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>14. <input type="checkbox"/> Other :</p>



15. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No: 09/450512

Prior application information: Examiner: Not Yet Assigned

Group/Art Unit: 2742

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

16. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below
--	---	---

NAME	Samuel H. Dworetzky				
ADDRESS	AT&T CORP. P.O. Box 4110				
CITY	Middletown	STATE	New Jersey	ZIP CODE	07748-4110
COUNTRY	United States of America			FAX	732-368-6932

17. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Samuel H. Dworetzky	Reg. #	27873	
TELEPHONE	908-221-5234			
SIGNATURE			DATE	8/25/2000

"Express Mail" Mailing Label Number EL580483657US

Date of Deposit 8/25/2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington D.C. , 20231

Dawn Cooper

(Printed Name of Person Mailing Paper)

Dawn Cooper

(Signature of Person Mailing Paper)

RECEIVED

OCT 24 2000

OFFICE OF PETITIONS



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SAD

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/460,512 12/14/99 BLOOD R 113250

0222/0128

SAMUEL H DWORETSKY
AT & T CORPORATION
P O BOX 4110
MIDDLETOWN NJ 07748

NOT ASSIGNED

2742

DATE MAILED:

01/28/00

Due 3/28/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
- ☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

L. Gillon

Customer Service Center
Initial Patent Examination Division (703) 308-1202

RECEIVED

OCT 24 2000

OFFICE OF PETITIONS

AT&T PATENT

FILED - 1 2000

DOCKETED BY



EXHIBIT C

MORGAN & FINNEGAN, L.L.P.

A Registered Limited Liability Partnership

1775 EYE STREET, N.W.

SUITE 400

WASHINGTON, D. C. 20006-2401

TEL.: (202) 857-7887

TELEX 421792

FACSIMILE: (202) 857-7929

NEW YORK OFFICE

345 PARK AVENUE

NEW YORK, NEW YORK 10154-0053

TEL.: (212) 758-4800

FACSIMILE: (212) 751-6849

July 27, 2000

113250

RECEIVED

OCT 24 2000

OFFICE OF PETITIONS

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Abe Charamand
5000 NW Village Park Drive, #H-144
Issaquah, WA 98027

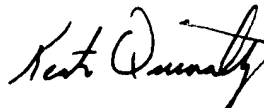
Re: U.S. Serial No. 09/460,512
AIRCRAFT CABIN TELEPHONY TEST UNIT
AT&T Ref: IDS 113250
Our Ref: 2455-4565

Dear Mr. Charamand:

Further to our letter of October 9, 1999, please find enclosed an original Declaration document as well as an original Assignment document. Please sign and date each document where indicated and return the signed documents to facilitate filing at the U.S. Patent and Trademark Office.

If you have any questions in this regard, please do not hesitate to contact us.

Very truly yours,


Keats A. Quinatty

CAH/KAQ/brs

Enclosure

cc: Chris Hughes
Sam Dworetzky, Esq.
Ann Taylor, OCC



EXHIBIT A

MORGAN & FINNEGAN, L.L.P.

A Registered Limited Liability Partnership

1775 EYE STREET, N.W.

SUITE 400

WASHINGTON, D. C. 20006-2401

TEL.: (202) 857-7887

TELEX 421792

FACSIMILE: (202) 857-7929

NEW YORK OFFICE

345 PARK AVENUE

NEW YORK, NEW YORK 10154-0053

TEL.: (212) 788-4800

FACSIMILE: (212) 781-8848

(202) 857-8017

October 16, 1999

RECEIVED

OCT 24 2000

OFFICE OF PETITIONS

Via Facsimile (425-702-7911)

Ms. Ruby Tarr
Contracts, Trademark & Patent Administrator
Legal Department - WLTG
AT&T Wireless Services, Inc.
14520 NE 87th Street, Redmond, WA 98052

Re: New Patent Application for
"AIRCRAFT CABIN TELEPHONY TEST UNIT"
AT&T Ref: IDS # 113250/AWS 425
Our Ref: 2455-4565

Dear Ms. Tarr:

Mr. Abed Charamand, who has been identified as an inventor, no longer works for AT&T or AT&T Wireless Services. On October 15, 1999, he told me that he is hesitating signing the formal papers so that he can contact his former boss (at AT&T or AT&T WS) to determine if he still is entitled to some sort of reward or incentive given to company inventors. I will let you know if he chooses to sign or not to sign.

Very truly yours,

Chris Hamaty
Christopher J. Hamaty

CJH:dac

cc: Samuel H. Dworetzky, Esq. ✓
Christopher A. Hughes, Esq.

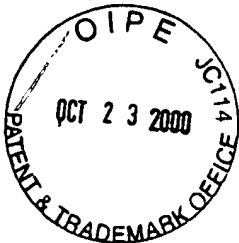


EXHIBIT B

RECEIVED

OCT 24 2000

OFFICE OF PETITIONS

December 7, 1999

Abe Charamond
Rockwell Collins
2001 West Mission Boulevard
Pomona, CA 91766-1020

VIA OVERNIGHT MAIL

Dear Abe:

It is our understanding that our outside counsel, Paul Qualey of Kenyon & Kenyon, has presented to you formal papers for you to execute regarding the patent on which you are named as an inventor and which references an invention which you worked on during your employment here at AT&T Wireless Services, Inc. I am told that you have refused to sign those papers alleging that your ex-manager, Mr. Jim Haarbauer, promised you additional compensation which, you also allege, has not been paid.

Let me make two points. First, Mr. Haarbauer has told us that he did not promise you such compensation. And second and most importantly, regardless of what you allege had been promised, you are contractually obligated under your Employment Agreement (attached), specifically section 13(c), to execute the formal papers presented to you and return them to me promptly. This obligation cannot, per the terms of your Employment Agreement, be altered except by a written statement signed by both you and the Company (AWS) (Section 21). If you have such a signed writing showing that you were promised additional compensation for the work that you did regarding the invention on which we are seeking patent prosecution, please forward that document to me immediately at the address stated above.

In any event, please promptly sign those formal papers attached for your convenience and return them to my attention promptly.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Glenn J. Blumstein

GJB/rt

Enclosures

cc: Robert Karashin, ACD
Sam Dworetzky, Esq., AT&T Corp.
~~Paul Qualey, Kenyon & Kenyon~~

Chris Hamaty, Morgan & Morgan